

FILED IN CLERK'S OFFICE

DEC 29 2011

IN THE UNITED STATES DISTRICT COURT
FOR NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

JAMES L. BOYD
[Signature]

THASHA A. BOYD,
1655 Carrie Farm Ln NW
Kennesaw, GA 30144
678-520-8465
laanatassha@aol.com

Plaintiff,

vs.

UNITED STATES DEPARTMENT
OF AGRICULTURE,
Office of General Counsel
1718 Peachtree St., N.W.
Suite 576
Atlanta, GA 30309-2409
404-347-1060

Defendant.

1:11-CV-4558

COMPLAINT FOR DECLARATORY AND INJUNCTIVE RELIEF

1. This is an action under the Freedom of Information Act ("FOIA"), 5 U.S.C. § 552, *as amended*, to compel the production of records concerning the copies of all records (hardcopy and/or electronic) with the Plaintiff's name and/or social security number that is in the possession of the Department of Agriculture's National Finance Center. The years for these records/documents/materials are

2010 through 2011.

2. This Court has jurisdiction over this action pursuant to 5 U.S.C. § 552(a)(4) (B).

Parties

3. Plaintiff, Thasha A. Boyd, is an employee of the United States Department of Labor, Employment and Training Administration, Office of Foreign Labor Certification, and is the requestor of the records which the Defendant is now withholding. Plaintiff has requested this information for use in determining whether or not Plaintiff's personnel and finance records accurately reflects any and all personnel and/or financial actions made on the Plaintiff.

4. Defendant, United States Department of Agriculture, is an agency of the United States, and has possession of and control over the records that Plaintiff seeks - as the Department of Agriculture's National Finance Center provides finance and personnel action services to the United States Department of Labor. The National Finance Center is an office under the Department of Agriculture's Departmental Management, Office of the Chief Financial Officer.

Statement of Facts

5. By letter dated October 24, 2011, mailed via the United States Postal Services certified mail with return receipt, the Plaintiff requested that the National Finance Center ("NFC") submit to the Plaintiff copies of all records (hardcopy and/or

electronic) with the Plaintiff's name and/or social security that the NFC had in its possession for the years of 2010 and 2011.

6. By letter dated November 28, 2011, mailed via the United States Postal Services certified mail with return receipt, Plaintiff appealed the NFC lack of response to Plaintiff October 24, 2011 FOIA request.

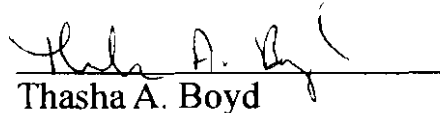
7. That to date, Plaintiff has not received a response regarding Plaintiff October 24, 2011 FOIA request, and Plaintiff November 28, 2011 appeal to the NFC regarding Plaintiff October 24, 2011 FOIA request.

8. Plaintiff has a statutory right to the records that it seeks, and there is no legal basis for Defendant's refusal to disclose them.

WHEREFORE, Plaintiff requests that this Court:

- (1) Declare that Defendant's refusal to disclose the records requested by Plaintiff is unlawful;
- (2) Order Defendant to make the requested records available to Plaintiff;
- (3) Award Plaintiff its costs and reasonable attorneys' fees in this action as provided by 5 U.S.C. § 552(a)(4)(E); and
- (4) Grant such other and further relief as this Court may deem just and proper.

Respectfully submitted,

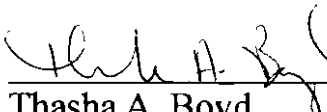
A handwritten signature in black ink, appearing to read "Thasha A. Boyd", is written over a horizontal line.

Thasha A. Boyd
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678-520-8465
laanataasha@aol.com

CERTIFICATION OF FONT

This certifies that pursuant to LR 5.1, N.D., GA, the above and foregoing has been prepared using Times Roman New font, 14 point. This 29th day of December, 2011.

Respectfully submitted,



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